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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: JULIUS W. ZUEHLKE et al.

Appln. No.: 10/536,670

Filed: May 27, 2005

Examiner: Carolyn A. Paden

Art Unit: 1712

For: METHOD AND APPARATUS FOR
UNIFORMLY ADDING PARTICULATES
TO A COATING ON COMESTIBLES, AND
PRODUCTS PRODUCED THEREBY

Confirmation No.: 9808

Attorney Docket No: 1391/1650

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

☒ Petition Under 37 C.F.R. § 1.182 (2 pgs.);

Fee calculation:

☐ No additional fee is required.☐ Small Entity.☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).☒ A petition or processing fee in an amount of \$ 400 under 37 C.F.R. § 1.17(f).☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

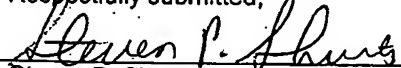
Fee payment:

☐ A check in the amount of \$_____ is enclosed.☒ Please charge Deposit Account No. 23-1925 in the amount of \$400.00.☐ Payment by credit card in the amount of \$_____. (Form PTO-2038 is attached).☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 or credit any overpayment, to Deposit Account No. 23-1925.

July 22, 2008

Date

Respectfully submitted,


Steven P. Shurtz (Reg. No. 31,424)

Applicants original "Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission Under 35 U.S.C. §371" mailed by Express Mail on May 27, 2005 (hereinafter "Transmittal Letter") had an incorrect International Application No.,

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leaving off the final digit. Apparently the Patent Office used information from PCT/US04/002873, rather than from applicants' submission (for PCT/US04/028732) for the priority claim for this application.

It is noted that a Preliminary Amendment, and the Declaration submitted with the Transmittal Letter, had the correct International Application serial number. Also, the copy of the correct International Application (which had not yet then been published) was filed with the original Transmittal Letter. All of these documents had the correct title.

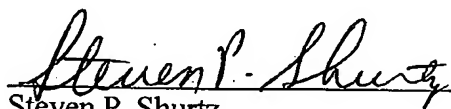
A corrected Transmittal Letter, identifying the correct International Application serial number, was submitted with a Request for a Corrected Filing Receipt, filed on January 11, 2006.

It is hereby petitioned that the correct international application number, PCT/US04/028732, be used henceforth for this application, and the Transmittal Letter be rectified accordingly.

When the application was nationalized, the Patent Office placed 1) a copy of the published application PCT/US04/02873 (WO 2004/084001), 2) a certified copy of Application No. 10/389,743, which was the priority application for PCT/US04/02873, and 3) a copy of the International Preliminary Report on Patentability for PCT/US04/02873 in the file of this application. It is hereby requested that these three documents be removed from the electronic file of this application since they do not belong in the file.

The \$400 fee for filing this petition may be charged to Deposit Account 23-1925.

Respectfully submitted,



Steven P. Shurtz
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Attorney for Applicants

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